

COPY

IN THE NINTH JUDICIAL DISTRICT FOR THE STATE OF TENNESSEE
CIRCUIT DIVISION

ESTATE OF STEFAN SUTO, through the executrix, JANA SUTOOVA BENNUN, STEVEN BENNUN, individually, and JANA SUTOOVA BENNUN, individually, citizens and residents of Morgan County, Tennessee,

Plaintiffs,

v.

CARRIE LYNN MADEJ, a citizen and resident of Cherokee County, Georgia, during the time in which she was providing healthcare services to the Plaintiffs through the individual practice of Carrie Madej, D.O. located at 1109 Iron Mountain Road, Canton, Georgia 30115

Defendants.

No. *2023 CV 7*
TWELVE MEMBER
JURY REQUESTED

COMPLAINT

Comes now the Plaintiffs, by and through counsel, and would respectfully show unto this Honorable Court as follows:

1. The Plaintiffs are citizens and residents of Morgan County, Tennessee. The Defendant is a healthcare provider as defined by T. C. A. 29-26-101(a)(2), who was providing healthcare to the deceased, Stefan Suto, Plaintiff Steven Bennun, and Plaintiff Jana Sutoova Bennun, as an individual not associated with any healthcare system. All actions which give rise to this Complaint occurred in Morgan County, Tennessee; therefore, jurisdiction and venue are proper with this Honorable Court.

JE FILED
FEB 27 2023 PM
MORGAN CO. CIRCUIT CLERK

2. On or about December 5th, 2021, Mr. Stefan Suto was located at his home in Morgan County, Tennessee. He was feeling ill and had a fever. Steven Bennun and Jana Sutoova Bennun were ill with no fever.

3. On or about December 5th, 2021, Carrie Madej insisted that she come to the house and administer treatment.

4. On or about December 5th, 2021, Carrie Madej entered the residence and directly administered treatment without any medical history, medical treatment, laboratory results, and failed to take a medical history on any patient.

5. On or about December 5th, 2021, Carrie Madej directly administered to Stefan Suto a solution of 21 mL of 3% hydrogen peroxide and 0.5 mL of distilled water that was placed in a nebulizer to create an inhalable mist.

6. On or about December 5th, 2021, Carrie Madej directly administered to Stefan Suto, Steve Bennun, and Jana Sutoova Bennun an intravenous injection of 500 mL of D5NS with 21 mL of 3% hydrogen peroxide.

7. Immediately after treatment, Mr. Stefan Suto started to react adversely and experienced a rapid decline in health.

8. Steven Bennun and Jana Sutoova Bennun informed Carrie Madej that Stefan Suto's health was rapidly declining and requested further medical treatment. Carrie Madej refused.

9. Stefan Suto passed away on December 23, 2021. Steven Bennun and Jana Sutoova Bennun continue to suffer from the side effects of the harmful injections they received on December 5, 2021.

10. Plaintiffs would aver that Carrie Madej does not have a Tennessee medical license and yet practices medicine in the State of Tennessee.

11. Plaintiffs would aver that the Defendant failed to provide them with basic, appropriate, and necessary medical care and supervision.

12. Plaintiffs would aver that through the Defendant's actions, she significantly deviated from the accepted standard of care for healthcare professionals practicing within their respective specialties within the Morgan County community as it relates to the care provided to them.

13. Plaintiffs would further aver that the Defendant is guilty of the specific torts of negligence; outrageous conduct; and negligent and intentional infliction of emotional distress.

14. The Plaintiffs would further aver that the Defendant violated the medical malpractice laws of the State of Tennessee codified at T. C. A. 29-26-101, et seq., as evidenced by the Affidavit of Sal A.D. Allura, D.O., attached as Exhibit "A".

15. The Plaintiffs would further aver that pursuant to T. C. A. 29-26-121, the Plaintiffs have complied with subsection (a) of T. C. A. 29-26-121, and have attached as Collective Exhibit "B" to this Complaint, a copy of the Notice Provision that was hand delivered to the Defendant. The Affidavit of Compliance is attached hereto as Exhibit "C".

16. The Plaintiffs would further aver that they also hired a private process server to hand deliver the documents attached as Collective Exhibit "C" necessary to satisfy the provisions of T. C. A. 29-26-121 as evidenced by a copy of the Affidavits of the private process server attached as Exhibit "D" to this Complaint.

17. The Plaintiffs would further aver that the conduct of the Defendant was so reckless, and grossly negligent, that it gives rise to a claim for punitive damages.

18. The Plaintiffs would further aver that as a direct and proximate result of the above-stated actions of the Defendant, the Plaintiffs have suffered severe and catastrophic injuries including, but not limited to, loss of life, physical pain and emotional suffering; suffered a loss of wages and loss of future earning expectancy; suffered a loss of enjoyment of life; incurred medical expenses; and suffered loss of consortium, as well as other non-enumerated injuries, all as a result of the conduct of the Defendant, none of which is the responsibility of the Plaintiffs.

19. In accordance with T. C. A. 29-26-122, the Plaintiffs have filed a Certificate of Good Faith contemporaneous to the filing of this Complaint, which is attached as Exhibit "E" to this Complaint.

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs demand judgment against the three Defendant, individually, in an amount not to exceed Ten Million Dollars (\$10,000,000.00) as compensatory damages, and an amount not to exceed Five Million Dollars (\$5,000,000.00) as punitive damages. The Plaintiffs also ask that a twelve (12) person jury be impaneled to hear this cause, and that the Plaintiffs have such other, further and general relief to which they may be entitled.

Respectfully submitted this the 23rd day of February, 2023.



DAIL R. CANTRELL (014780)
Attorney for Plaintiffs

OF COUNSEL:
THE CANTRELL LAW FIRM
Post Office Box 299
Clinton, Tennessee 37717
865.457.9100

COST BOND

We acknowledge ourselves as surety for all costs, taxes and damages in this case in accordance with T.C.A. 20-12-120.



PRINCIPAL



**THE CANTRELL LAW FIRM
SURETY
DAIL R. CANTRELL
P.O. Box 299
Clinton, Tennessee 37717
(865) 457-9100**

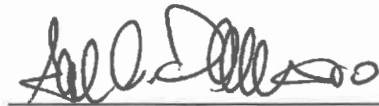
STATE OF NORTH CAROLINA:

COUNTY OF GUILFORD:

Comes now Sal A.D.'Allura, D O., and after first being duly sworn, does hereby make oath as follows:

1. I am a citizen and resident of the State of North Carolina; over the age of eighteen (18); and, at all times relevant hereto, I am submitting this Affidavit as it pertains to my evaluation of the potential medical malpractice/healthcare liability action in favor of Stephen Suto.
2. By executing this Affidavit, I affirm that it is my opinion that there was a deviation of the accepted standard of care by Dr. Cari Madej.

FURTHER AFFIANT SAITH NAUGHT.



SAL A.D.'ALLURA, D.O.

 FILED
FEB 27 2023 PM
MORGAN CO. CIRCUIT CLERK



Dail R. Cantrell*
Krysta Brown Trouy*
W. Lucas Arnold
R. Emily Horton

Daniel R. Goodge, *Of Counsel**
Rachel Watson, *Of Counsel*
*Rule 31 Mediator

Carla Taylor, *Office Manager*



cantrell-law.com
dcantrell@cantrell-law.com

Physical Address:
362 S. Charles G. Seivers Blvd.
Clinton, Tennessee 37716

Mailing Address:
Post Office Box 299
Clinton, Tennessee 37717

865-457-9100 (p)
865-463-7881 (f)

November 11, 2022

VIA CERTIFIED MAIL &
HAND DELIVERY

Dr. Carrie Lynn Madej
(FKA Dr. Carrie Lynn Madej Collins)
1109 Iron Mountain Road
Canton, GA 30115
Via Certified Mail

Dr. Carrie Lynn Madej
(FKA Dr. Carrie Lynn Madej Collins)
Complementary and Integrative Medicine
661 Forest Parkway
Forest Park, GA 30297
Via Certified Mail

Dr. Carrie Lynn Madej
(FKA Dr. Carrie Lynn Madej Collins)
Phoenix Medical Group of Georgia, LLC
917 Jonesboro Road
McDonough, GA 30253
Via Certified Mail

Dr. Carrie Lynn Madej
(FKA Dr. Carrie Lynn Madej Collins)
Phoenix Medical Group of Georgia, LLC
2129 Dundee Drive, SE
Smyrna, GA 30080
Via Certified Mail

FILED
NOV 27 2023 PM
MORGAN CO. CIRCUIT CLERK



Dr. Carrie Lynn Madej
(FKA Dr. Carrie Lynn Madej Collins)
Phoenix Medical Group of Georgia, LLC
312 Crosstown Road, Box 192
Peachtree City, GA 30269
Via Certified Mail

Dr. Carrie Lynn Madej
(FKA Dr. Carrie Lynn Madej Collins)
Phoenix Medical Group of Georgia, LLC
363 5th Street, NE
Atlanta, GA 30308-2071
Via Certified Mail

Dr. Carrie Lynn Madej
(FKA Dr. Carrie Lynn Madej Collins)
Carrie Madej, D.O., P.C.,
2129 Dundee Drive, SE
Smyrna, GA, 30080
Via Certified Mail

Dr. Carrie Lynn Madej
(FKA Dr. Carrie Lynn Madej Collins)
2817 Emerald Drive
Jonesboro, GA 30236
Via Certified Mail

Dr. Carrie Lynn Madej
(FKA Dr. Carrie Lynn Madej Collins)
ACSH Urgent Care of Georgia, LLC
4861 Bill Gardner Parkway
Locust Grove, GA 30248
Via Certified Mail

Dr. Carrie Lynn Madej
(FKA Dr. Carrie Lynn Madej Collins)
C/O CorrectMed Locust Grove, LLC
3384 Peachtree Road, NE
Suite 700
Atlanta, GA 30326
Via Certified Mail

RE: Stefan Suto

To whom it may concern:

My name is Dail R. Cantrell, and I represent Jana Sutoova Bennun (hereinafter, "Mrs. Bennun"), the daughter of Stefan Suto (hereinafter "Mr. Suto"), whose address is 351 Zac Road, Sunbright, TN, 37872.

My mailing address is P. O. Box 299, Clinton, TN 37717, and my physical address is 362 South Charles G. Seivers Blvd., Clinton, TN 37716. I am sending this letter on behalf of Mrs. Bennun, regarding Mr. Stefan Suto, whose Date of Birth was July 8, 1941, and whose Date of Death was December 23, 2021. Further, Mr. Suto's Social Security number was 142-96-9197.

At the time of his passing, Mr. Suto was an 80-year-old male with a history of chronic renal failure and anemia. As a direct and proximate result of the actions of Dr. Madej, Mr. Suto endured significant physical and emotional pain and suffering between December 5, 2021, and December 23, 2021, when he passed away.

Earlier that month, Mr. Suto had developed respiratory issues and, on or about December 5, 2021, received "medical treatments" from Dr. Madej. Specifically, Mr. Suto received an intravenous injection of 500 mL of D5NS (a mixture of dextrose and normal saline), with 21 mL of 3% hydrogen peroxide.

Additionally, Mr. Suto received a solution of 21 mL of 3% hydrogen peroxide and 0.5 mL of distilled water that was placed in a nebulizer to create an inhalable mist. All of these "medical treatments" were provided to Mr. Suto directly by Dr. Madej.

Following the above "treatments" Mr. Suto developed an immediate adverse reaction and a rapid decline in his health. He was transported to Florida for additional medical care by his primary physician but was advised that his pre-existing renal failure had worsened and that his red blood cells had been "decimated" all as a result of the injection of the hydrogen peroxide solution. Further, Mr. Suto's airways were burned from the above nebulizer "treatment." He died approximately three (3) weeks later.

In addition to the fact that the above "treatments" were contraindicated by Mr. Suto's pre-existing renal failure (and Dr. Madej's failure to inquire as to his pre-existing conditions) the fact that Dr. Madej conducted these "treatments" in the State of Tennessee was/is itself a basis for a Healthcare Liability Action in that she had/has no license to practice medicine in the State of Tennessee.

Rather, her medical license, number 53123, with a designation of "Doctor of Osteopathy," is only valid in the State of Georgia. Thus, without a life-threatening, medical emergency, Dr. Madej had no authorization to conduct any "medical treatments" on, for, and/or in relation to Mr. Suto.

The above is compounded by the fact that Dr. Madej had no access to Mr. Suto's medical records, medical history, or laboratory results. Thus, Dr. Madej had no ability to even evaluate Mr. Suto's renal insufficiency.

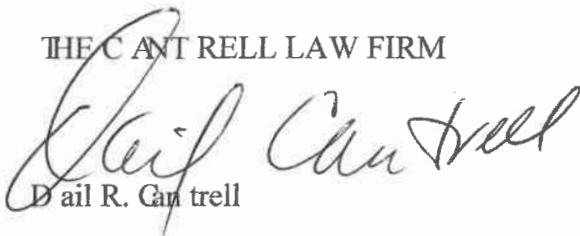
Moreover, intravenous hydrogen peroxide has been known to cause severe inflammation and tissue damage, even in small amounts, as well as hemolysis, destruction of red blood cells, and kidney/renal failure. Once done such damage cannot be reversed.

Given the above, the actions of Dr. Madej on or about December 5, 2021, as they relate to Mr. Suto, fell far below the accepted standard of medical care for the Morgan County, Tennessee community.

This letter is being sent pursuant to Tennessee Code Annotated §§ 29-26-101, et seq., generally, and §§ 29-26-121/122, specifically. Pursuant to the foregoing statutes, Dr. Madej has sixty (60) days after receipt of this Notice to respond or Healthcare Liability litigation will be implemented.

Sincerely,

THE CANTRELL LAW FIRM

A handwritten signature in cursive script that reads "Dail R. Cantrell". The signature is written in black ink and is positioned above the printed name.

Dail R. Cantrell

DRC:cft

IN THE NINTH JUDICIAL DISTRICT FOR THE STATE OF TENNESSEE
CIRCUIT DIVISION

ESTATE OF STEFAN SUTO, through the executrix, JANA SUTOOVA BENNUN, STEVEN BENNUN, individually, and JANA SUTOOVA BENNUN, individually, citizens and residents of Morgan County, Tennessee,

Plaintiffs,

v.

CARRIE LYNN MADEJ, a citizen and resident of Cherokee County, Georgia, during the time in which she was providing healthcare services to the Plaintiffs through the individual practice of Carrie Madej, D.O. located at 1109 Iron Mountain Road, Canton, Georgia 30115

Defendants.

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] No.
] **TWELVE MEMBER**
] **JURY REQUESTED**
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]

AFFIDAVIT OF CARLA F. TAYLOR

Comes now the Affidavit, Carla F. Taylor, and does hereby make oath as follows:

1. I am a citizen and resident of the State of Tennessee, over the age of eighteen (18), and all times relevant to this Affidavit have been the primary legal assistant for Dail R. Cantrell.

2. Attached as collective Exhibit "D" to the Complaint in this action are copies of the Affidavit of Jason K. Jensen, as well as the Notice letter that I prepared and sent to Jason K. Jensen for hand delivery upon the Defendant, Carrie Lynn Madej, whereby the letter is referenced in paragraph three (3) of his Affidavit, as anticipated by T. C. A. 29-26- 121. I do hereby certify that I have complied with the statute as it relates to the Notice Provision.

[Signature] **FILED**
FEB 27 2023 PM
MORGAN CO. CIRCUIT CLERK



FURTHER AFFIANT SAITH NAUGHT.

Carla F. Taylor
CARLA F. TAYLOR

STATE OF TENNESSEE

COUNTY OF ANDERSON

OATH

I, **Carla F. Taylor**, after first being duly sworn according to law make oath that I have read the foregoing Affidavit and the facts set forth therein are true and correct to the best of my knowledge, information and belief.

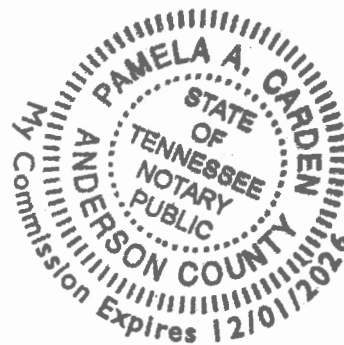
Carla F. Taylor
CARLA F. TAYLOR

Sworn to and subscribed before
me this the 23 day of February, 2023.

[Signature]

NOTARY PUBLIC

My Commission Expires: 12/1/26



B

AFFIDAVIT OF JASON K JENSEN

STATE OF UTAH |

COUNTY OF SALT LAKE |

Comes the Affiant, Jason K Jensen, after first being duly sworn, and does hereby make oath as follows:

1. I am a citizen and resident of the State of Utah, over the age of eighteen (18), and at all times relevant I am competent to testify regarding matters set forth below.

2. On or about Sunday, November 13, 2022, I attended a conference wherein Dr. Carrie Lynn Madej ("Dr. Madej") was a presenter.

3. During the above-referenced conference, I approached Dr. Madej and presented her with a letter folded into thirds (a copy of which is attached hereto as Exhibit A).

4. Dr. Madej received the above-referenced letter in her hand at approximately 11:44 a.m.

FURTHER AFFIANT SAITH NAUGHT.

Jason K Jensen

JASON K JENSEN

STATE OF UTAH)
COUNTY OF SALT LAKE)

FILED
7:57 AM FEB 27 2023 PM
MORGAN CO. CIRCUIT CLERK

Sworn to and subscribed before me this the 1st day of February 2023.

Notary Public
KELSEY S LINGWALL
Commission Number 718786
My Commission Expires
June 14, 2025
State of Utah

Kelsey S Lingwall

NOTARY PUBLIC
My Commission Expires: 06/14/2025

tabbles EXHIBIT
D

Dail R. Cantrell*
Krysta Brown Trouy*
W. Lucas Arnold
R. Emily Horton

Daniel R. Goodge, *Of Counsel**
Rachel Watson, *Of Counsel*
*Rule 31 Mediator

Carla Taylor, *Office Manager*



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dcantrell@cantrell-law.com

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Clinton, Tennessee 37716

Mailing Address:
Post Office Box 299
Clinton, Tennessee 37717

865-457-9100 (p)
865-463-7881 (f)

November 11, 2022

VIA CERTIFIED MAIL &
HAND DELIVERY

Dr. Carrie Lynn Madej
(FKA Dr. Carrie Lynn Madej Collins)
1109 Iron Mountain Road
Canton, GA 30115
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2129 Dundee Drive, SE
Smyrna, GA 30080
Via Certified Mail

FILED
FEB 27 2023 PM
MORGAN CO. CIRCUIT CLERK

EXHIBIT
Affidavit of
Loren Jensen A

Dr. Carrie Lynn Madej
(FKA Dr. Carrie Lynn Madej Collins)
Phoenix Medical Group of Georgia, LLC
312 Crosstown Road, Box 192
Peachtree City, GA 30269
Via Certified Mail

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Dr. Carrie Lynn Madej
(FKA Dr. Carrie Lynn Madej Collins)
C/O CorrectMed Locust Grove, LLC
3384 Peachtree Road, NE
Suite 700
Atlanta, GA 30326
Via Certified Mail

RE: Stefan Suto

To whom it may concern:

My name is Dail R. Cantrell, and I represent Jana Sutoova Bennun (hereinafter, "Mrs. Bennun"), the daughter of Stefan Suto (hereinafter "Mr. Suto"), whose address is 351 Zac Road, Sunbright, TN, 37872.

My mailing address is P. O. Box 299, Clinton, TN 37717, and my physical address is 362 South Charles G. Seivers Blvd., Clinton, TN 37716. I am sending this letter on behalf of Mrs. Bennun, regarding Mr. Stefan Suto, whose Date of Birth was July 8, 1941, and whose Date of Death was December 23, 2021. Further, Mr. Suto's Social Security number was 142-96-9197.

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Rather, her medical license, number 53123, with a designation of "Doctor of Osteopathy," is only valid in the State of Georgia. Thus, without a life-threatening, medical emergency, Dr. Madej had no authorization to conduct any "medical treatments" on, for, and/or in relation to Mr. Suto.

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Moreover, intravenous hydrogen peroxide has been known to cause severe inflammation and tissue damage, even in small amounts, as well as hemolysis, destruction of red blood cells, and kidney/renal failure. Once done such damage cannot be reversed.

Given the above, the actions of Dr. Madej on or about December 5, 2021, as they relate to Mr. Suto, fell far below the accepted standard of medical care for the Morgan County, Tennessee community.

This letter is being sent pursuant to Tennessee Code Annotated §§ 29-26-101, et seq., generally, and §§ 29-26-121/122, specifically. Pursuant to the foregoing statutes, Dr. Madej has sixty (60) days after receipt of this Notice to respond or Healthcare Liability litigation will be implemented.

Sincerely,

HECANTRELL LAW FIRM

A handwritten signature in cursive script, appearing to read "David R. Cantrell".

David R. Cantrell

DRC:cft

IN THE NINTH JUDICIAL DISTRICT FOR THE STATE OF TENNESSEE
CIRCUIT DIVISION

ESTATE OF STEFAN SUTO, through the executrix, JANA SUTOOVA BENNUN,
STEVEN BENNUN, individually, and
JANA SUTOOVA BENNUN, individually,
citizens and residents of Morgan County, Tennessee,

Plaintiffs,

v.

CARRIE LYNN MADEJ, a citizen and resident of Cherokee County, Georgia, during the time in which she was providing healthcare services to the Plaintiffs through the individual practice of Carrie Madej, D.O. located at 1109 Iron Mountain Road, Canton, Georgia 30115

Defendants.

No.
TWELVE MEMBER
JURY REQUESTED

CERTIFICATE OF GOOD FAITH

In accordance with T. C. A. 29-26-122, I hereby state the following:

1. The Plaintiff or Plaintiff's counsel has consulted with one (1) or more experts who have provided a signed written statement confirming that upon information and belief, they:

(A) Are competent under T. C. A. 29-26-115 to express opinion(s) in the case; and

(B) Believe, based on the information available from the medical records concerning the care and treatment of the Plaintiff for the incident(s) at issue, that there is a good faith basis to maintain the action consistent with the requirements of T. C. A. 29-26-115.

2. Plaintiffs' counsel has been found in violation of T. C. A. 29-26-122 zero (0) prior times.

Respectfully submitted, and executed, this the 23rd day of February, 2023.

[Signature] FILED
FEB 27 2023 PM
MORGAN CO. CIRCUIT CLERK





DAIL R. CANTRELL (014780)
Attorney for Plaintiffs

OF COUNSEL:

THE CANTRELL LAW FIRM
P. O. Box 299
Clinton, TN 37717-0299
(865) 457-9100

IN THE NINTH JUDICIAL DISTRICT FOR THE STATE OF TENNESSEE
CIRCUIT DIVISION

ESTATE OF STEFAN SUTO, through the executrix, JANA SUTOOVA BENNUN, STEVEN BENNUN, individually, and JANA SUTOOVA BENNUN, individually, citizens and residents of Morgan County, Tennessee,

Plaintiffs,

v.

CARRIE LYNN MADEJ, a citizen and resident of Cherokee County, Georgia, during the time in which she was providing healthcare services to the Plaintiffs through the individual practice of Carrie Madej, D.O. located at 1109 Iron Mountain Road, Canton, Georgia 30115

Defendant.

REQUEST FOR ADMISSIONS

Come now the Plaintiffs, by and through counsel, and pursuant to Rule 36 of the Tennessee Rules of Civil Procedure, and does request that the Defendants admit the truth of the following matters:

1. Would this Defendant admit that she rendered treatment to the Plaintiffs in their house located in Morgan County, Tennessee?
2. Would this Defendant admit that she did not have a Tennessee medical license on December 5, 2021?
3. Would this Defendant admit that prior to December 5, 2021, she had never rendered treatment to any of the Plaintiffs?
4. Would this Defendant admit that service of process was properly effectuated upon her?

COPY

No. *2023 CV 7*
TWELVE MEMBER
JURY REQUESTED

FILED
FEB 27 2023 PM
MORGAN CO. CIRCUIT CLERK

5. Would this Defendant admit that the Plaintiff complied with the Notice Provisions of T. C. A. 29-26-121?
6. Would this Defendant admit that she did not take a medical history of the Plaintiffs?
7. Would this Defendant admit that she directly administered to Stefan Suto a solution of 21 mL of 3% hydrogen peroxide and 0.5 mL of distilled water that was placed in a nebulizer to create an inhalable mist?
8. Would this Defendant admit that she directly administered to Stefan Suto, Steve Bennun, and Jana Sutoova Bennun an intravenous injection of 500 mL of D5NS with 21 mL of 3% hydrogen peroxide?
9. Would this Defendant admit that Steve and Jana Bennun notified her that Mr. Suto was rapidly declining in health?
10. Would this Defendant admit that Steve and Jana Bennun requested she return and help Mr. Suto
11. Would this Defendant admit that she refused to return and help Mr. Suto?

Respectfully submitted this the 23rd day of February, 2023.

DAHL R CANTRELL (014780)
Attorney for Plaintiffs

OF COUNSEL:

THE CANTRELL LAW FIRM
Post Office Box 299
Clinton, Tennessee 37717
(865) 457-9100

COPY

IN THE NINTH JUDICIAL DISTRICT FOR THE STATE OF TENNESSEE
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ESTATE OF STEFAN SUTO, through the executrix, JANA SUTOOVA BENNUN, STEVEN BENNUN, individually, and JANA SUTOOVA BENNUN, individually, citizens and residents of Morgan County, Tennessee,

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No. *2023CV 7*
**TWELVE MEMBER
JURY REQUESTED**

PLAINTIFFS' FIRST SET OF INTERROGATORIES
PROPOUNDED TO THE DEFENDANT

Comes now the Plaintiffs, by and through their attorney of record, and would request that the Defendants answer under oath, the following Interrogatories within forty-five (45) days from the date of service as provided by law, and a copy of the Answer to be furnished to the Plaintiff's attorney, Dail Cantrell, Post Office Box 299, Clinton, Tennessee, 37717-0299.

When used in these Interrogatories, the term "Defendant" or any synonym thereof, is entitled to and shall embrace and include, in addition to Defendant, all agents, servants, representatives, private investigators, and others who are in possession of or may have obtained information for and in behalf of the Defendant.

THESE INTERROGATORIES SHALL BE DEEMED CONTINUING SO AS TO

JK **FILED**
FEB 27 2023 PM
MORGAN CO. CIRCUIT CLERK

REQUIRE SUPPLEMENTAL ANSWERS IF YOU OR YOUR ATTORNEYS OBTAIN FURTHER INFORMATION BETWEEN THE TIME ANSWERS ARE SERVED AND THE JUDGMENT SATISFIED.

INTERROGATORY NO. 1: Please set forth your complete name, address, telephone number, and date of birth. Please also provide a copy of the front and back of your driver's license, as well as any other professional licenses that you hold, or that you have held, since January 1, 2010.

ANSWER:

INTERROGATORY NO. 2: Have you ever been a named party in any other litigation? If the answer is in the affirmative, please state the following:

- a. The style of the case including the full names of the parties, the court in which the case was filed and the docket number;
- b. The full names of the attorneys who represented the different parties to the matters;
- c. A summary of the facts of the case; and
- d. The status or disposition of the case.

ANSWER:

INTERROGATORY NO. 3: Please state the full name and address of each and every individual with whom you, or your agents or employee, has discussed any aspect of the Plaintiffs' medical history or treatment from the time he became your patient to date. Additionally, the Plaintiffs will object to any response that indicates that the identity of these individuals is available in the medical records. Additionally, please set forth the specific care that was rendered by this individual, and the date that said care was provided.

ANSWER

INTERROGATORY NO. 4: Please state in detail the defenses you intend to rely on at the trial of this matter.

ANSWER:

INTERROGATORY NO. 5: Please state the full names, addresses and titles, if applicable, of each and every individual whom you know to have knowledge of any facts regarding the Plaintiffs' care or treatment that he has been given. Additionally, the Plaintiffs will object to a blanket statement that the decedent's treating medical providers had information related to his care. The Plaintiffs specifically requests the name of said medical provider indicated in the response to this Interrogatory.

ANSWER:

INTERROGATORY NO. 6: Please attach copies of all medical records which you may have in your possession or which you may obtain during the course of this litigation regarding the Plaintiffs.

ANSWER:

INTERROGATORY NO. 7: Do you admit that service of process was properly had upon you in this case? If not, please explain the reason(s) for your answer.

ANSWER:

INTERROGATORY NO. 8: State whether this Defendant has any information or opinion(s) that the cause of the Plaintiffs' injuries is due to some other person(s) or entity(ies) other than alleged in the Plaintiffs' Complaint. If so, please state:

- a. Each and every fact or opinion(s) which may relate the cause of the Plaintiffs' condition to some person(s) and/or entity(ies) other than what is contained in Plaintiffs' Complaint; and
- b. The individual(s) who may testify or provide information with respect to each of the above.

ANSWER:

INTERROGATORY NO. 9: With respect to all witnesses whom you have consulted with or that you may call as experts to give opinion testimony in the trial of this matter before the court, state the following:

- a. Name(s), and address(es);
- b. The name and address of his/her employer or the organization in which he/she is associated in any professional capacity;
- c. The field in which he/she is to be offered as an expert, and any sub-field that may be applicable;
- d. A summary of his/her qualifications within the field in which he/she is expected to testify;
- e. The substance of the facts to which he/she is expected to testify;
- f. The substance of the opinions to which he/she is expected to testify and a summary of the grounds for each opinion;
- g. The date(s) of all reports rendered by such experts, for whom prepared and in whose custody these reports are at present; and
- h. Provide a copy of all correspondence between counsel and said witness.

ANSWER:

INTERROGATORY NO. 10: Please attach as an Exhibit to these Interrogatories any and all medical records and nursing staff policies and procedures; protocols; practice guidelines; records; forms; checklists; and clinical pathways that could be used, indicating which ones were used, for treating the Plaintiffs upon arrival at the facility at which you provided treatment.

ANSWER:

INTERROGATORY NO. 11: As an Exhibit to these Interrogatories please produce any and all incident variance and occurrence reports related to the care of the Plaintiffs.

ANSWER:

INTERROGATORY NO. 12: As an Exhibit to these Interrogatories please produce any and all documents or record keeping related to retention of documents and records management in relationship to the Plaintiffs.

ANSWER:

INTERROGATORY NO. 13: How do you define the term "standard of care?"

ANSWER:

Respectfully submitted this the 23rd day of February, 2023.



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